

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Pensions and Labor, to which was referred Senate Bill No. 430, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 22-3-1-4 IS ADDED TO THE INDIANA CODE
- 4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
- 5 UPON PASSAGE]: Sec. 4. (a) As used in this section, "attorney's
- 6 fees" means the fees requested for compensation for service
- 7 provided by an attorney to a claimant under the worker's
- 8 compensation law and the worker's occupational diseases law as
- 9 provided under section 3(b)(3) of this chapter.
- 10 (b) As used in this section, "board" refers to the worker's
- 11 compensation board established under section 1 of this chapter.
- 12 (c) As used in this section, "claim" refers to a claim for
- 13 compensation under IC 22-3-2 through IC 22-3-7 filed with the
- 14 board.
- 15 (d) The board shall adopt rules under IC 4-22-2 to amend its
- 16 schedule of attorney's fees applicable to all claims filed on or after
- 17 September 1, 2003, except as provided in subsection (e), to reflect
- 18 the following attorney's fees:
- 19 (1) A minimum of one hundred dollars (\$100).
- 20 (2) Twenty percent (20%) of the first ten thousand dollars
- 21 (\$10,000) of recovery.

1 **(3) Fifteen percent (15%) of the second ten thousand dollars**
 2 **(\$10,000) of recovery.**

3 **(4) Ten percent (10%) of recovery over twenty thousand**
 4 **dollars (\$20,000).**

5 **(e) The board maintains continuing jurisdiction over all**
 6 **attorney's fees in claims before the board and may order a**
 7 **different attorney's fee schedule or allowance for a claim."**

8 Page 16, after line 27, begin a new paragraph and insert:

9 **"SECTION 4. An emergency is declared for this act."**

10 Renumber all SECTIONS consecutively.

(Reference is to SB 430 as introduced.)

and when so amended that said bill do pass .

Committee Vote: Yeas 8, Nays 0.

Senator Harrison, Chairperson